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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 07-00251 RMW
	)	
Plaintiff,	)	
	)	STIPULATION AND [PROPOSED]
v.	)	ORDER EXCLUDING TIME
	)	
JOSE BONILLA,	)	
	)	
Defendant.	)	SAN JOSE VENUE
	)	

On May 21 and June 25, 2007, the parties in this case appeared before the Court for status conferences. The parties jointly requested that the case be continued from May 21 until June 25, 2007, and again from June 25, 2007, until July 23, 2007, at 9:00 a.m. in order for counsel for defendant and the Government to engage in discovery and to discuss a possible resolution of the case. In addition, the parties requested an exclusion of time under the Speedy Trial Act from May 21 until June 25, 2007 and from June 25, 2007 until July 23, 2007. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective preparation of counsel.

1 SO STIPULATED:

SCOTT N. SCHOOLS  
United States Attorney

2  
3 DATED: 07-10-07

\_\_\_\_\_/s/\_\_\_\_\_  
THOMAS M. O'CONNELL  
Assistant United States Attorney

4  
5  
6 DATED: 07-10-07

\_\_\_\_\_/s/\_\_\_\_\_  
Lara Vinnard, AFPD  
Counsel for Bonilla

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8  
9  
10 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded  
11 under the Speedy Trial Act from May 21, 2007 to July 23, 2007. The Court finds, based on the  
12 aforementioned reasons, that the ends of justice served by granting the requested continuance  
13 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant  
14 the requested continuance would deny defense counsel reasonable time necessary for effective  
15 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
16 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
17 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

18 SO ORDERED:

19  
20 DATED: \_\_\_\_\_

\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge